

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

JOHN W. JEMISON,

Plaintiff,

VS.

CITIMORTGAGE, INC., *et al.*,

Defendants.

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CIVIL ACTION NO. H-13-2475

FINAL JUDGMENT

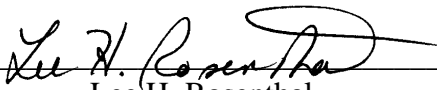
In accordance with the Memorandum and Order granting the motion for summary judgment filed by defendants CitiMortgage, Inc., CBNA Other Hold Portfolio, and CitiBank, N.A. (together “Defendants”) on CitiMortgage’s counterclaim, and with prior orders in this case. The court enters final judgment in favor of the defendants. Specifically, this court enters judgment that CitiMortgage is entitled to a nonjudicial foreclosure on the property described as Lot 11, in Block 23 of Partial Replat of Fosters Mill Village, Section Three (3), a Subdivision in Harris County, Texas, According to the Map or Plat Thereof Recorded in Volume 343, Page 41 of the Map Records of Harris County, Texas, and all improvements thereon. The property and improvements have a street address of 2206 Bluff Creek Drive, Humble, Texas 77345. The amount due under the loan documents, including the Note executed by the plaintiff, John W. Jemison, is \$710,277.19 as of July 14, 2014. Jemison also owes interest on the outstanding principal balance from and after July 14, 2014, accruing at \$78.3306 each day, plus \$96,239.20 in reasonable and necessary attorneys’ fees incurred by CitiMortgage and recoverable under the terms of the Note, Deed of Trust, and Texas Civil Practice and Remedies Code § 38.001. These amounts, plus any additional advances CitiMortgage paid for

taxes and insurance, or foreclosure expenses CitiMortgage incurred, are secured by a valid first lien against the property. This court also enters judgment that CitiMortgage is entitled to a judgment authorizing it to proceed with the nonjudicial foreclosure of the property under the terms of the Deed of Trust and Texas Property Code § 51.002. This court enters judgment that the proceeds of this sale are to be applied first to the sale costs, including CitiMortgage's attorneys' fees, and then to the amounts that are, and become, due under the Note.

The amounts due are \$710,277.19 as of July 14, 2014; reasonable and necessary attorneys' fees of \$96,239.20; and amounts that become due under the Note after July 14, 2014, including, but not limited to, interest that accrues on the outstanding principal balance at the per diem rate of \$78.3306, and advances for taxes, insurance, and foreclosure expenses incurred after the date judgment is entered.

This is a final judgment.

SIGNED on October 24, 2014, at Houston, Texas.



Lee H. Rosenthal
United States District Judge